

# Court of Appeals, State of Michigan

## ORDER

Katherine Tgibides Ghannam v Jack Fred Ghannam

Docket No. 293989

LC No. 2007-738021-PP

Kathleen Jansen  
Presiding Judge

Mark J. Cavanagh

Henry William Saad  
Judges

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In lieu of granting leave to appeal, the Court orders pursuant to MCR 7.205(D)(2) that the August 20, 2009 order finding respondent in contempt is VACATED because the court failed to provide respondent the opportunity to present a defense in accordance with the due process rights to which he is entitled in both civil and criminal contempt proceedings. See *Porter v Porter*, 285 Mich App 450, 456; \_\_\_ NW2d \_\_\_ (2009). This matter is REMANDED for further proceedings, which shall include allowing respondent to present a defense to the charge that he is in contempt for violation of the personal protection order.

The application for leave to appeal is otherwise DENIED.

The motion to strike is DENIED.

This order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 02 2010  
Date

*Sandra Schultz Mengel*  
Chief Clerk